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**ATTN.** Michael D. Meucci

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**FROM** Volel Emile, Esq.

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**SUBJECT** Notice of Appeal (09/965,002)

**Number of Pages** 4

**Date** 11/13/2005

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Appl. No. 09/965,002  
Notice of Appeal dated 11/13/2005  
Reply to Office Action of 08/12/2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :  
Abdelhadi et al. :  
Serial No: 09/965,002 : Before the Examiner:  
 : Michael D. Meucci  
Filed: 09/27/2001 : Group Art Unit: 2142  
 :  
Title: APPARATUS AND METHOD : Confirmation No.: 2728  
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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALSCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from  
the Decision of the Primary Examiner of August 12, 2005  
finally rejecting claims 1 - 37.

The item(s) marked below are appropriate:

1. \_\_\_\_\_ A petition and fee for extension of term for  
reply to the final rejection is attached.
2.  X  Appeal fee  
 X  other than a small entity. Fee: \$500.00
3.  X  Payment  
 X  Please charge Deposit Account **09-0447**  
the sum of \$500.00. A duplicate of this notice  
is attached.

Respectfully submitted,

By: Vofel Emile  
Attorney for Applicants  
Registration No. 39,969  
(512) 306-796911/15/2005 SFELEKE1 00000058 090447 09965002  
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Page 1 of 1

PTO/88/21 (02-04)

Approved for use through 07/31/2006. OMB 0851-0031

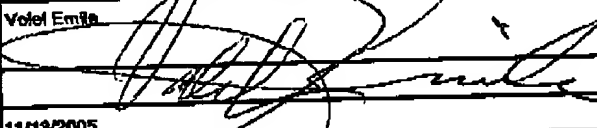
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/965,002
	Filing Date	09/27/2001
	First Named Inventor	Sanaa F. Abdolhadi
	Art Unit	2142
	Examiner Name	Michael D. Morton
Total Number of Pages in This Submission	Attorney Docket Number	AUS9620013905US1


ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Notice of Appeal		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Volei Emile
Signature	
Date	11/13/2005

## CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Volei Emile	Date	11/13/2005
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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